



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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TRADEMARK	APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
	08/959,013	10/28/97	D'MALLEY	B 226/286

0292/0105

RICHARD J. WARBURG  
LYON AND LYON  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES CA 90071

NOT ASSIGNED

1804

**DATE MAILED:**

01/05/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ large entity ☐ small entity (verified statement filed), is \$ 3360.

- ☒ 1. The statutory basic filing fee is:

☒ missing.☐ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. Additional claim fees of \$ 2440 , including any multiple dependent claim fees, are required.

Additional claim fees of \$ 2440 =, including any multiple dependent claim fees, are being paid by this filing.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The path or declaration:

☒ is missing.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

☐ does not include the city and state or foreign country of applicant's residence.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are:

**missing**

☐ missing

☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

☐ by a person other than inventor or person qualified under 37 CFR 1.631-1(a), of

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).

- ☒ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☒ 8. The application does not comply with the Sequence Rules

The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202



2921

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
**Bert O'Malley, et al.**

Serial No. 08/959,013

Filed: October 28, 1997

For: **MODIFIED STEROID HORMONES  
FOR GENE THERAPY AND  
METHODS FOR THEIR USE**

Group Art Unit: 1804

Examiner NOT YET ASSIGNED

Sector  
226/286

Patent

Box Signer  
#3  
J. J. O'Connell  
04/13/98

RECEIVED

APR 16 1998

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SERVICE CENTER

**SUBMISSION OF MISSING PARTS AND RELATED  
APPLICATION PAPERS**

Attention: BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR §1.53(d), which was mailed on January 5, 1998, enclosed are:

- ☒ Combined Declaration and Power of Attorney (Original), Signed in Counterpart
- ☒ Recordation Form Cover Sheet (Patents Only)
- ☒ Assignment of the Invention to Genemedicine, Inc. and Baylor College of Medicine, Signed in Counterpart
- ☒ (2) Verified Statements to establish "SMALL ENTITY STATUS" under 37 CFR 1.9(f) and 1.27(b).
- ☒ Statement under 37 CFR §1.821
- ☒ Sequence Listing with Diskette

**1. REQUEST FOR EXTENSION OF TIME:**

- ☒ Applicant requests an Extension of Time of 1 month to respond; the requisite fee has been calculated as shown below:

		Small Entity	Large Entity
<input checked="" type="checkbox"/>	1 month	\$ 55.00	\$ 110.00
<input type="checkbox"/>	2 months	\$ 200.00	\$ 400.00
<input type="checkbox"/>	3 months	\$ 475.00	\$ 950.00
<input type="checkbox"/>	4 months	\$ 755.00	\$ 1510.00
	<b>Total Fee Due</b>	<b>\$55.00</b>	<b>\$0</b>

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.

Dated: March 27, 1998

By: Robert Wickman

Robert Wickman



Patent  
226/286

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	)	Group Art Unit: 1804
BERT W. O'MALLEY ET AL.	)	Examiner:
Serial No. 08/959,013	)	
Filed: October 28, 1997	)	
For: MODIFIED STERIOD HORMONES	)	
FOR GENE THERAPY AND	)	
METHODS FOR THEIR USE	)	

STATEMENT UNDER 37 C.F.R. § 1.821 (F)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821 (e), (f) and (g), or § 1.825 (d) and (b) respectively, are the same.

Respectfully submitted,

LYON & LYON LLP

Charles S. Berkman  
Registration No. 38,077

633 West Fifth Street  
Suite 4700  
Los Angeles, California 90071  
(619) 552-8400

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

March 27, 1998  
date of deposit

Robert Wickman  
name of person mailing paper

  
signature of person mailing paper